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EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/046,175

Applicant(s)

WATANABE, YOSHIAKI

Examiner

Ryan F. Pitaro

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

***Response to Amendment***

1. This action is in response to Amendment B filed on 11/23/2005. Claims 26-27 were added as new. This action is Final.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1,2,11,17,21,22,23,25,26,27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al ("Reha", US 6,282,709) in view of Shima et al ("Shima", US 6,295,479).

As per independent claim 1, Reha discloses client/server system comprising a plurality of computers connected to a network, wherein: a server on the network possesses button information which is data on menu buttons operating in connection with a client application introduced into a client computer (Column 3 lines 38-67), and the server has a function of transmitting the button information to the client computer (Column 4 lines 1-21)); and the client application comprises a program which causes the client computer to provide a function of communicating with the server to obtain the button information from the server (Column 3 lines 38-47), a function of displaying menu buttons on a display in combination with a GUI screen of the client application according to the button information obtained (Column 6 lines 33-59). Reha does not expressly point out button information for the menus. However, Shima teaches button information

which is data on menu buttons (Column 21 lines 9-47) and a function of performing operations defined for the displayed menu buttons (Column 21 lines 9-47). Therefore it would have been obvious to an artisan at the time of the invention to combine the button information and definitions of Shima with the system of Reha. Motivation to do so would have been to provide a way to enforce a certain “look and feel” of the graphical user interface.

As per claim 2, which is dependent on claim 1, Reha-Shima teaches the GUI screen of the client application has an update button operated by a user to instruct the menu buttons to be updated (Reha, Column 7 lines 21-27); and when the update button is operated, the client application transmits an update request to the server, and in response to the update request the server provides the button information to the client application (Reha, Column 5 lines 31-52).

As per claim 11, which is dependent on claim 1, Reha-Shima teaches a system wherein the button information includes button IDs as unique identification codes defined for the menu buttons (Shima, Column 14 lines 22-34), condition flags used to determine whether the menu buttons are enabled or disabled (Shima, Column 14 lines 35-56), action types which are condition flags used to determine operation of the menu buttons, and information used to identify images of the menu buttons (Shima, Column 14 lines 35-56).

As per claim 17, which is dependent on claim 11, Reha-Shima teaches the GUI screen of the client application has an update button operated by a user to instruct the menu buttons to be updated (Reha, Column 7 lines 21-27); and when the update button

is operated, the client application transmits an update request to the server, and in response to the update request the server provides the button information to the client application (Reha, Column 5 lines 31-52).

As per claim 21, which is dependent on claim 11, Reha-Shima teaches a system wherein the server transmits list information on button IDs of new menu buttons to be incorporated to the client application which has requested the menu buttons to be updated (Reha, Column 9 lines 33-43), to the client application which has requested the current menu buttons to be updated; upon receiving the list information on button IDs, the client application compares the button IDs described in the list information with the button IDs in the button information saved in a storage device of the client computer, and requests the server to obtain the button information on the button IDs described in the list information only if these button IDs are different from the button IDs in the button information (Reha, Column 9 lines 33-65); and the server transmits the button information on the requested button IDs to the client application (Reha, Column 9 lines 33-65).

As per independent claim 22, Reha discloses a button updating method of a client application, comprising the steps of: constructing a client/server system by connecting client computers and a server together via a network (Column 3 lines 38-67, Column 4 lines 1-21); storing, in a menu button information database of the server, button information which is data on menu buttons operating in connection with a client application introduced into each of the client computers (Column 3 lines 38-67, Column 4 lines 1-21); activating the client application to communicate with the server to obtain

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button information therefrom (Column 3 lines 38-47); displaying the menu buttons on a display in combination with a GUI screen of the client application according to the button information obtained (Column 6 lines 33-59); However, Shima teaches button information which is data on menu buttons (Column 21 lines 9-47) and enabling operations defined for the displayed menu buttons ([0034] lines 8-13). Therefore it would have been obvious to an artisan at the time of the invention to combine the button information and definitions of Shima with the system of Reha. Motivation to do so would have been to provide a way to enforce a certain "look and feel" of the graphical user interface.

As per claim 23, which is dependent on claim 22, Reha-Shima teaches a system wherein the button information includes button IDs as unique identification codes defined for the menu buttons (Shima, Column 14 lines 22-34), condition flags used to determine whether the menu buttons are enabled or disabled (Shima, Column 14 lines 35-56), action types which are condition flags used to determine operation of the menu buttons, and information used to identify images of the menu buttons (Shima, Column 14 lines 35-56); the server transmits, to the client application which has requested the menu buttons to be updated, list information on button IDs of new menu buttons to be incorporated (Reha, Column 9 lines 33-43), to the client application which has requested the current menu buttons to be updated; upon receiving the list information on button IDs, the client application compares the button IDs described in the list information with the button IDs in the button information saved in a storage device of the client computer, and requests the server to obtain the button information on the button

IDs described in the list information only if these button IDs are different from the button IDs in the button information (Reha, Column 9 lines 33-65); and the server transmits the button information on the requested button IDs to the client application (Reha, Column 9 lines 33-65).

As per claim 25, which is dependent on claim 24, Reha-Shima teaches a system wherein the button information includes button IDs as unique identification codes defined for the menu buttons (Shima, Column 14 lines 22-34), condition flags used to determine whether the menu buttons are enabled or disabled (Shima, Column 14 lines 35-56), action types which are condition flags used to determine operation of the menu buttons, and information used to identify images of the menu buttons (Shima, Column 14 lines 35-56); the server transmits, to the client application which has requested the menu buttons to be updated, list information on button IDs of new menu buttons to be incorporated (Reha, Column 9 lines 33-43), to the client application which has requested the current menu buttons to be updated; upon receiving the list information on button IDs, the client application compares the button IDs described in the list information with the button IDs in the button information saved in a storage device of the client computer, and requests the server to obtain the button information on the button IDs described in the list information only if these button IDs are different from the button IDs in the button information (Reha, Column 9 lines 33-65); and the server transmits the button information on the requested button IDs to the client application (Reha, Column 9 lines 33-65).

As per claim 26, which is dependent on claim 1, Reha-Shima discloses the system wherein the server automatically determines the menu button information to send to the client application (Reha, Column 9 lines 52-65).

Claim 27 is similar in scope to that of claim 26, and is therefore rejected under similar rationale.

2. Claims 3,14,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al ("Reha", US 6,282,709) and Shima et al ("Shima", US 6,295,479) in view of Manolis et al ("Manolis", US 6,583,799).

As per claim 3, which is dependent on claim 1, Reha-Shima fails to disclose the application comprising an image viewer with a browsing function. However, Manolis teaches a system wherein: the client application comprises an image viewer which causes the client computer to provide an image transmitting and receiving function and an image browsing function (Figure 9); and the menu buttons are image transmitting GUI buttons for which a destination of an image is set (Figure 9; *upload and browse*). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Reha-Shima with the teaching of Manolis. Motivation to do so



would have been a design choice since the environment of the menu does not affect the functionality of the personalized interface.

As per claim 14, which is dependent on claim 12, Reha-Shima fails to disclose the application comprising an image viewer with a browsing function. However, Manolis teaches a system wherein: the client application comprises an image viewer which causes the client computer to provide an image transmitting and receiving function and an image browsing function (Figure 9); and the menu buttons are image transmitting GUI buttons for which a destination of an image is set (Figure 9; *upload and browse*). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Reha-Shima with the teaching of Manolis. Motivation to do so would have been a design choice since the environment of the menu does not affect the functionality of the personalized interface.

As per claim 18, which is dependent on claim 11, Reha-Shima fails to disclose the application comprising an image viewer with a browsing function. However, Manolis teaches a system wherein: the client application comprises an image viewer which causes the client computer to provide an image transmitting and receiving function and an image browsing function (Figure 9); and the menu buttons are image transmitting GUI buttons for which a destination of an image is set (Figure 9; *upload and browse*). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Reha-Shima with the teaching of Manolis. Motivation to do so would have been a design choice since the environment of the menu does not affect the functionality of the personalized interface.

Claims 4,5,6,7,9,10,12,13,15,16,19,20,24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al ("Reha", US 6,282,709) and Shima et al ("Shima", US 6,295,479) in view of Brennan et al ("Brennan", US 2002/0077829).

As per claim 4, which is dependent on claim 1, Reha-Shima teaches a personalization system, but does not distinctly point out specifically storing and distributing the information. However, Brennan discloses a system wherein: the server comprises: a database which stores personal information on users who activate the client application to access the server ([0033] lines 6-11); and a distribution button determining device which determines contents of the menu buttons to be distributed to the users on the basis of the users' personal information ([0034] lines 13-14); and the button information on the menu buttons determined by the distribution button determining device is delivered to the client application ([0033] lines 24-28). Therefore it would have been obvious to an artisan at the time of the invention to combine the interface personalization system of Brennan with the system of Reha-Shima. Motivation to do so would have been to tailor an interface to a user so that unwanted elements are not included making the interface simpler.

As per claim 5, which is dependent on claim 4, Reha-Shima-Brennan discloses a system wherein: the personal information on the users is registered in the database using an online user registering function of the client application (Brennan, [0033] lines 4-6); upon registration, each user is provided with a user ID which is a unique identification code (Brennan, Figure 3; *access number*); and subsequent requests from the client application to the server are provided with the user ID so as to authenticate the user ID (Brennan, [0033] lines 4-6; *authentication procedure*).

As per claim 6, which is dependent on claim 1, Reha-Shima-Brennan discloses a system wherein: an effective start date and time and an effective end date and time are set as parameters for the button information (Brennan, [0029] lines 1-5); and the client application provides a function of displaying the menu buttons only during this period (Brennan, [0029] lines 1-5, Shima, Column 21 lines 9-47 ).

As per claim 7, which is dependent on claim 6, Reha-Shima-Brennan teaches the GUI screen of the client application has an update button operated by a user to instruct the menu buttons to be updated (Reha, Column 7 lines 21-27); and when the update button is operated, the client application transmits an update request to the server, and in response to the update request the server provides the button information to the client application (Reha, Column 5 lines 31-52).

As per claim 9, which is dependent on claim 6, Reha-Shima-Brennan discloses a system wherein: the server comprises: a database which stores personal information on users who activate the client application to access the server (Brennan, [0033] lines 6-11); and a distribution button determining device which determines contents of the

menu buttons to be distributed to the users on the basis of the users' personal information (Brennan, [0034] lines 13-14); and the button information on the menu buttons determined by the distribution button determining device is delivered to the client application (Brennan, [0033] lines 24-28).

As per claim 10, which is dependent on claim 9, Reha-Shima-Brennan discloses a system wherein: the personal information on the users is registered in the database using an online user registering function of the client application (Brennan, [0033] lines 4-6); upon registration, each user is provided with a user ID which is a unique identification code (Brennan, Figure 3; *access number*); and subsequent requests from the client application to the server are provided with the user ID so as to authenticate the user ID (Brennan, [0033] lines 4-6; *authentication procedure*).

As per claim 12, which is dependent on claim 11, Reha-Shima-Brennan discloses a system wherein: an effective start date and time and an effective end date and time are set as parameters for the button information (Brennan, [0029] lines 1-5); and the client application provides a function of displaying the menu buttons only during this period (Brennan, [0029] lines 1-5).

As per claim 13, which is dependent on claim 12, Reha-Shima-Brennan teaches the GUI screen of the client application has an update button operated by a user to instruct the menu buttons to be updated (Reha, Column 7 lines 21-27); and when the update button is operated, the client application transmits an update request to the server, and in response to the update request the server provides the button information to the client application (Reha, Column 5 lines 31-52).

As per claim 15, which is dependent on claim 12, Reha-Shima teaches a personalization system, but does not distinctly point out specifically storing and distributing the information. However, Brennan discloses a system wherein: the server comprises: a database which stores personal information on users who activate the client application to access the server ([0033] lines 6-11); and a distribution button determining device which determines contents of the menu buttons to be distributed to the users on the basis of the users' personal information ([0034] lines 13-14); and the button information on the menu buttons determined by the distribution button determining device is delivered to the client application ([0033] lines 24-28). Therefore it would have been obvious to an artisan at the time of the invention to combine the interface personalization system of Brennan with the system of Reha-Shima. Motivation to do so would have been to tailor an interface to a user so that unwanted elements are not included making the interface simpler.

As per claim 16, which is dependent on claim 15, Reha-Shima-Brennan discloses a system wherein: the personal information on the users is registered in the database using an online user registering function of the client application (Brennan, [0033] lines 4-6); upon registration, each user is provided with a user ID which is a unique identification code (Brennan, Figure 3; *access number*); and subsequent requests from the client application to the server are provided with the user ID so as to authenticate the user ID (Brennan, [0033] lines 4-6; *authentication procedure*).

As per claim 19, which is dependent on claim 11, Reha-Shima teaches a personalization system, but does not distinctly point out specifically storing and

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distributing the information. However, Brennan discloses a system wherein: the server comprises: a database which stores personal information on users who activate the client application to access the server ([0033] lines 6-11); and a distribution button determining device which determines contents of the menu buttons to be distributed to the users on the basis of the users' personal information ([0034] lines 13-14); and the button information on the menu buttons determined by the distribution button determining device is delivered to the client application ([0033] lines 24-28). Therefore it would have been obvious to an artisan at the time of the invention to combine the interface personalization system of Brennan with the system of Reha-Shima. Motivation to do so would have been to tailor an interface to a user so that unwanted elements are not included making the interface simpler.

As per claim 20, which is dependent on claim 19, Reha-Shima-Brennan discloses a system wherein: the personal information on the users is registered in the database using an online user registering function of the client application (Brennan, [0033] lines 4-6); upon registration, each user is provided with a user ID which is a unique identification code (Brennan, Figure 3; *access number*); and subsequent requests from the client application to the server are provided with the user ID so as to authenticate the user ID (Brennan, [0033] lines 4-6; *authentication procedure*).

As per claim 24, which is dependent on claim 22, Reha-Shima teaches a personalization system, but does not distinctly point out specifically storing and distributing the information. However, Brennan discloses a system wherein: the server comprises: a database which stores personal information on users who activate the

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client application to access the server ([0033] lines 6-11); and a distribution button determining device which determines contents of the menu buttons to be distributed to the users on the basis of the users' personal information ([0034] lines 13-14); and the button information on the menu buttons determined by the distribution button determining device is delivered to the client application ([0033] lines 24-28). Therefore it would have been obvious to an artisan at the time of the invention to combine the interface personalization system of Brennan with the system of Reha-Shima. Motivation to do so would have been to tailor an interface to a user so that unwanted elements are not included making the interface simpler.

3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Reha et al ("Reha", US 6,282,709) and Shima et al ("Shima", US 6,295,479) and Brennan et al ("Brennan", US 2002/0077829) in view of Manolis et al ("Manolis", US 6,583,799).

As per claim 8, which is dependent on claim 6, Reha-Shima-Brennan fails to disclose the application comprising an image viewer with a browsing function. However, Manolis teaches a system wherein: the client application comprises an image viewer which causes the client computer to provide an image transmitting and receiving function and an image browsing function (Figure 9); and the menu buttons are image transmitting GUI buttons for which a destination of an image is set (Figure 9; *upload and browse*). Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Reha-Shima-Brennan with the teaching of Manolis. Motivation

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to do so would have been a design choice since the environment of the menu does not affect the functionality of the personalized interface.

### ***Response to Arguments***

Applicant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday through Thursday and on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
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Patent Examiner

RFP

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